

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of

Massachusetts

STATE OF CALIFORNIA, ex rel. VEN-A-CARE  
OF THE FLORIDA KEYS, INC., a Florida  
Corporation,  
V.

SUMMONS IN A CIVIL ACTION

ABBOTT LABORATORIES, INC., et al.  
See Addendum Sheet for Additional Defendants

CASE NUMBER: MDL 1456, No. 01-12257-PBS

TO: (Name and address of Defendant)

BAXTER HEALTHCARE CORP.  
One Baxter Parkway  
Deerfield, IL 60015

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BILL LOCKYER, Attorney General of the State of California  
Thomas A. Temmerman, Sr. Assistant Attorney General  
1455 Frazee Road, Suite 315  
San Diego, CA 92108

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

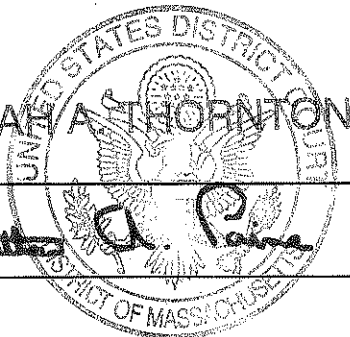
SARAH A. THORNTON

OCT - 6 2005

CLERK

DATE

(By) DEPUTY CLERK



AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE <u>10-26-05 @ 1120 Hrs.</u>	
NAME OF SERVER (PRINT) <u>Jesus Mejia</u>	TITLE <u>SPECIAL AGENT</u>	
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served:  <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:  <input type="checkbox"/> Returned unexecuted:  <input checked="" type="checkbox"/> Other (specify): <u>Served Gerome Jones, CT Corporation system</u> <u>818 West Los Angeles Street</u> <u>Seventh St</u> <u>Los Angeles, CA 90017</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL <u>\$0.00</u>
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>10-26-05</u> _____            Date Signature of Server</p> <p style="text-align: center;"><u>303 N. Alhambra Blvd, Suite # 900</u>  <u>Burbank, CA 91502</u>            Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**ADDENDUM TO SUMMONS IN A CIVIL ACTION**

STATE OF CALIFORNIA, ex rel. VEN-A-	)	<b>MDL No. 1456</b>
CARE OF THE FLORIDA KEYS, INC., a	)	<b>Master File No. 01-12257-PBS</b>
Florida Corporation,	)	
	)	<b>(Original Central District of California</b>
Plaintiffs,	)	<b>No. 03-CV-2238)</b>
	)	
v.	)	
	)	
ABBOTT LABORATORIES, INC.; AMGEN,	)	
INC.; ARMOUR PHARMACEUTICAL CO.;	)	
AVENTIS BEHRING, L.L.C.; AVENTIS	)	
PHARMACEUTICALS, INC.; B. BRAUN	)	
MEDICAL, INC.; B. BRAUN OF AMERICA,	)	
INC.; BAXTER HEALTHCARE CORP.;	)	
BEDFORD LABORATORIES; BEN VENUE	)	
LABORATORIES, INC.; BOEHRINGER	)	
INGELHEIM CORP.; BOEHRINGER	)	
INGELHEIM PHARMACEUTICALS INC.;	)	
BRISTOL-MYERS SQUIBB COMPANY	)	
a/k/a BRISTOL-MYERS ONCOLOGY	)	
DIVISION/HIV PRODUCTS; C.H.	)	
BOEHRINGER SOHN	)	
GRUNDSTUCKSVERWALTUNG GMBH &	)	
CO. KG; DEY, INC.; DEY, L.P.; EMD, INC.;	)	
GENEVA PHARMACEUTICALS INC.;	)	
GENSIA INC.; GENSIA SICOR, INC.;	)	
GLAXO WELLCOME INC. f/k/a	)	
BURROUGHS WELLCOME CO.;	)	
GLAXOSMITHKLINE PLC; HOECHST	)	
MARION ROUSSEL, INC.; IMMUNEX	)	
CORP.; LIPHA, S.A.; McGAW, INC.;	)	
MERCK KGaA; MYLAN LABORATORIES,	)	
INC.; MYLAN PHARMACEUTICALS, INC.;	)	
NOVARTIS AG; PHARMA INVESTMENT,	)	
LTD.; ROXANE LABORATORIES, INC.;	)	
SANDOZ, INC.; SCHERING-PLOUGH	)	
CORP.; SICOR, INC. f/k/a GENSIA	)	

**ADDENDUM TO SUMMONS IN A CIVIL ACTION**

MDL No. 1456

Master File No. 01-12257-PBS

PHARMACEUTICALS, INC.; SMITHKLINE )  
BEECHAM CORPORATION d/b/a )  
GLAXOSMITHKLINE; TEVA )  
PHARMACEUTICAL INDUSTRIES, LTD.; )  
WARRICK PHARMACEUTICALS CORP.; )  
Z.L.B. BEHRING, )  
 )  
 )  
Defendants. )

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TO: (Name and address of Defendants)

ABBOTT LABORATORIES, INC.  
100 Abbott Park Road  
Abbott Park, IL 60064-6057

AMGEN, INC.  
One Amgen Center Drive  
Thousand Oaks, CA 91320-1799

ARMOUR PHARMACEUTICAL CO.  
300 Somerset Corporate Blvd.  
Bridgewater, NJ 08807

AVENTIS BEHRING, L.L.C.  
1020 First Avenue  
King of Prussia, PA 19406-1310

AVENTIS PHARMACEUTICALS, INC.  
400 Somerset Corporate Blvd.  
Bridgewater, NJ 08807

B. BRAUN MEDICAL, INC.  
824 Twelfth Avenue  
Bethlehem, PA 18018

**ADDENDUM TO SUMMONS IN A CIVIL ACTION**

MDL No. 1456

Master File No. 01-12257-PBS

B. BRAUN OF AMERICA, INC.  
824 Twelfth Avenue  
Bethlehem, PA 18018

BAXTER HEALTHCARE CORP.  
One Baxter Parkway  
Deerfield, IL 60015

BEDFORD LABORATORIES  
300 Northfield Road  
Bedford, OH 44146

BEN VENUE LABORATORIES, INC.  
300 Northfield Road  
Bedford, OH 44146

BOEHRINGER INGELHEIM CORP.  
900 Ridgebury Road  
Ridgefield, CT 06877

BOEHRINGER INGELHEIM PHARMACEUTICALS INC.  
900 Ridgebury Road  
Ridgefield, CT 06877

BRISTOL-MYERS SQUIBB COMPANY a/k/a BRISTOL-MYERS ONCOLOGY  
DIVISION/HIV PRODUCTS  
345 Park Blvd.  
New York, NY 10154

C.H. BOEHRINGER SOHN GRUNDSTUCKSVERWALTUNG GMBH & CO. KG  
Binger Strasse 173  
D-55216 Ingelheim  
Germany

DEY, INC.  
2751 Napa Valley Corporate Dr.  
Napa, CA 94558

**ADDENDUM TO SUMMONS IN A CIVIL ACTION**

MDL No. 1456

Master File No. 01-12257-PBS

DEY, L.P.  
2751 Napa Valley Corporate Dr.  
Napa, CA 94558

EMD, INC.  
3211 Shannon Road  
Durham, NC 27707

GENEVA PHARMACEUTICALS INC.  
506 Carnegie Center, Suite 400  
Princeton, NJ 08540

GENSIA INC.  
19 Hughes  
Irvine, CA 92618-1902

GENSIA SICOR, INC.  
19 Hughes  
Irvine, CA 92618-1902

GLAXO WELLCOME INC. f/k/a BURROUGHS WELLCOME CO.  
Attention: Tax Department  
Five Moore Drive  
Research Triangle Park, NC 27709

GLAXOSMITHKLINE PLC  
980 Great West Road  
Brentford, Middlesex  
United Kingdom  
TW8 9GS

HOECHST MARION ROUSSEL, INC.  
400 Somerset Corporate Blvd.  
Bridgewater, NJ 08807

IMMUNEX CORP.  
51 University Street  
Seattle, WA 98101

**ADDENDUM TO SUMMONS IN A CIVIL ACTION**

MDL No. 1456

Master File No. 01-12257-PBS

LIPHA, S.A.  
37 rue Saint-Romain,  
69379 Lyon cedex 08  
France

McGAW, INC.  
2525 McGaw Avenue  
Irvine, CA 92614-5895

MERCK KGaA  
Frankfurter Str. 250  
Darmstadt  
D-64293  
Germany

MYLAN LABORATORIES, INC.  
1500 Corporate Drive, Ste. 400  
Canonsburg, PA 15317

MYLAN PHARMACEUTICALS, INC.  
781 Chestnut Ridge Road  
Morgantown, WV 26505

NOVARTIS AG  
Lichtstrasse 35  
CH-4002 Basel  
Switzerland

PHARMA INVESTMENT, LTD.  
5180 South Service Road  
Burlington, Ontario  
Canada L7L 5H4

ROXANE LABORATORIES, INC.  
1809 Wilson Road  
Columbus, OH 43228

**ADDENDUM TO SUMMONS IN A CIVIL ACTION**

MDL No. 1456

Master File No. 01-12257-PBS

SANDOZ, INC., f/k/a GENEVA PHARMACEUTICALS, INC.  
506 Carnegie Center, Suite 400  
Princeton, NJ 08540

SCHERING-PLOUGH CORP.  
2000 Galloping Hill Road  
Kenilworth, NJ 07033-0530

SICOR, INC. f/k/a GENSIA PHARMACEUTICALS, INC.  
19 Hughes  
Irvine, CA 92618-1902

SMITHKLINE BEECHAM CORPORATION d/b/a GLAXOSMITHKLINE  
One Franklin Plaza  
Philadelphia, PA 19101

TEVA PHARMACEUTICAL INDUSTRIES, LTD.  
1090 Horsham Road  
North Wales, PA 19454

WARRICK PHARMACEUTICALS CORP.  
2000 Galloping Hill Rd.  
Kenilworth, NJ 07033-0530

Z.L.B. BEHRING  
1020 First Avenue  
King of Prussia, PA 19406-1310





Office of Attorney General  
Bill Lockyer

October 20, 2005

Bureau of  
Medi-Cal Fraud  
and Elder Abuse

1455 Frazee Road, Suite 315  
San Diego, California 92108  
Telephone: (619) 688-6021  
Facsimile: (619) 688-4200

Dear Sir/Madam:

I have enclosed the following documents for service on Defendant **Baxter Healthcare Corp.:**

1. Original and one copy of the Summons;
2. A copy of the Complaint, with attached redacted Exhibits; and
3. A copy of un-redacted Exhibit 'M'.

The designated Agent for Service for the above company is as follows:

CT Corporation System  
818 West Seventh Street  
Los Angeles, CA 90017

Please serve all the above listed documents on Defendant. Please complete the service part of the Summons and return the executed original Summons to me. If you have any questions, please feel free to contact me at (619) 688-6021.

Sincerely,

Lilian Herrera, Legal Analyst  
Bureau of Medi-Cal Fraud and Elder Abuse

For **BILL LOCKYER**  
Attorney General

**CERTIFICATE OF SERVICE**

I hereby certify that I, Brian V. Frankel, Supervising Deputy Attorney General, Bureau of Medi-Cal Fraud and Elder Abuse, for the State of California, caused a true and correct copy of the foregoing **Summons In A Civil Action Returned Executed as to Baxter Healthcare Corp. and Letter dated 10/20/05** to be served electronically on counsel of record pursuant to Paragraph 11 of the Case Management Order No. 2, by sending a copy to LexisNexis File and Service for posting and notification to all parties on November 9, 2005.

/s/ Brian V. Frankel  
BRIAN V. FRANKEL  
Supervising Deputy Attorney General  
Bureau of Medi-Cal Fraud and Elder Abuse  
State of California  
1455 Frazee Road, Suite 315  
San Diego, CA 92108  
Tel: (619) 688-6065  
Fax: (619) 688-4200